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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/699,799	11/04/2003	Kazuo Hiraguchi	Q77992	4014

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EXAMINER

HAUGLAND, SCOTT J

ART UNIT PAPER NUMBER

3654

DATE MAILED: 12/30/2005

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary	Application No. 10/699,799	Applicant(s) HIRAGUCHI, KAZUO	
	Examiner Scott Haugland	Art Unit 3654	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) Responsive to communication(s) filed on 04 October 2005.
- 2a) This action is **FINAL**. 2b) This action is non-final.
- 3) Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) Claim(s) 1-20 is/are pending in the application.
 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) Claim(s) _____ is/are allowed.
- 6) Claim(s) 1-20 is/are rejected.
- 7) Claim(s) _____ is/are objected to.
- 8) Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) The specification is objected to by the Examiner.
- 10) The drawing(s) filed on _____ is/are: a) accepted or b) objected to by the Examiner.
 Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
 Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) All b) Some * c) None of:
1. Certified copies of the priority documents have been received.
2. Certified copies of the priority documents have been received in Application No. _____.
3. Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- | | |
|--|---|
| 1) <input type="checkbox"/> Notice of References Cited (PTO-892) | 4) <input type="checkbox"/> Interview Summary (PTO-413)
Paper No(s)/Mail Date. _____ |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948) | 5) <input type="checkbox"/> Notice of Informal Patent Application (PTO-152) |
| 3) <input type="checkbox"/> Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)
Paper No(s)/Mail Date _____ | 6) <input type="checkbox"/> Other: _____ |

DETAILED ACTION

Claim Rejections - 35 USC § 112

The following is a quotation of the second paragraph of 35 U.S.C. 112:

The specification shall conclude with one or more claims particularly pointing out and distinctly claiming the subject matter which the applicant regards as his invention.

Claims 5, 7-10, 15, and 17-20 are rejected under 35 U.S.C. 112, second paragraph, as being indefinite for failing to particularly point out and distinctly claim the subject matter which applicant regards as the invention.

The claims do not clearly set forth that the first and second border portions recited in claim 5, lines 3-4 are the border portions recited in claim 1, lines 10-11.

The claims do not clearly set forth that the first and second border portions recited in claim 15, lines 3-4 are the border portions recited in claim 11, lines 11-12.

Claim Rejections - 35 USC § 103

The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

Claims 1-20 are rejected under 35 U.S.C. 103(a) as being unpatentable over LeNoue et al (U.S. Patent No. 5,328,123) in view Maehara (U.S. Patent No. 4,466,585).

Art Unit: 3654

LeNoue et al discloses a recording tape cartridge comprising a substantially rectangular case formed from an upper case and a lower case each having a wall 72 connected to a ceiling or floor plate (upper or lower wall). The case accommodates a single reel on which recording tape is wound. Border portions between the walls 72 and the ceiling/floor plates are thinner than the plates. The depth of the grooves 74 forming the thinner border portions are 30% to 50% of the thickness of the ceiling or floor plate (col. 4, lines 9-12).

LeNoue et al does not disclose screw bosses on the upper and lower cases each having a convex portion and a concave portion which fit together.

Maehara teaches providing a recording tape cartridge with screw bosses 18, 20, 27, 29, 32, 34 having convex portions and concave portions that fit together.

It would have been obvious to one having ordinary skill in the art at the time the invention was made to provide the recording tape cartridge of LeNoue et al with screw bosses having convex portions and concave portions that fit together as taught by Maehara to secure the upper and lower case together while ensuring proper alignment of the cases before insertion of the screws.

It would have been further obvious to make border portions between the ceiling plate and outermost peripheral wall and the floor plate and outermost peripheral wall thinner than the peripheral wall similarly to the border portions associated with grooves 74 as taught by LeNoue et al to prevent deformation of the case during cooling at the corners between the outermost peripheral walls and the ceiling/floor plates.

With regard to claims 2, 7-10, 12, and 17-20, the border portions disclosed by LeNoue et al would be 70% to 50% of the thickness of the ceiling or floor plates based on the disclosed groove depths of 30% to 50% of that thickness. Since the walls 72 are disclosed as being substantially the same thickness as the ceiling and floor plates, the same groove depth/border depths relative to the thickness of the walls would have obviously been appropriate.

Response to Arguments

Applicant's arguments filed 10/4/05 have been fully considered but they are not persuasive.

Applicant argues that there is no disclosure in LeNoue et al of grooves along the outermost peripheral walls of the upper and lower portions of the casing. However, it is seen to have been obvious to one having ordinary skill in the art to apply the teachings of LeNoue to the outermost peripheral walls of the tape cartridge to prevent deformation (sink) of the cartridge in the vicinity of the corners between the outermost peripheral walls and the top and bottom walls, also, since LeNoue teaches how to prevent deformation during cooling in thicker regions of a cartridge case. The teachings are applicable wherever thicker regions that cause deformation are located.

Conclusion

THIS ACTION IS MADE FINAL. Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a).

A shortened statutory period for reply to this final action is set to expire **THREE MONTHS** from the mailing date of this action. In the event a first reply is filed within **TWO MONTHS** of the mailing date of this final action and the advisory action is not mailed until after the end of the **THREE-MONTH** shortened statutory period, then the shortened statutory period will expire on the date the advisory action is mailed, and any extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of the advisory action. In no event, however, will the statutory period for reply expire later than **SIX MONTHS** from the mailing date of this final action.

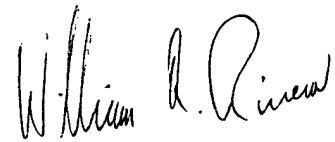
Any inquiry concerning this communication or earlier communications from the examiner should be directed to Scott Haugland whose telephone number is (571) 272-6945. The examiner can normally be reached on Monday - Thursday.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Kathy Matecki can be reached on (571) 272-6951. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

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Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

sjh
sjh
12/14/05



WILLIAM A. RIVERA
PRIMARY EXAMINER